

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

THE UNITED STATES OF AMERICA,

v.

SAINT JOVITE YOUNGBLOOD
a.k.a. Kota Youngblood,
Defendant.

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CRIMINAL NO. A-23-CR-135-RP

GOVERNMENT’S RESPONSE TO DEFENDANT’S MOTION TO SUPPRESS

Youngblood asks this Court to suppress statements he made to Agent Noble during the execution of a search warrant on July 13, 2023, on the grounds that those statements were obtained in violation of Youngblood’s Fifth Amendment rights. For the following reasons, the Government has no objection to the Court granting this motion.

Although the Government believes it is questionable both whether Youngblood was “in custody” for purposes of *Miranda*, and whether he was subject to “interrogation” within the meaning of the law when he made statements to Agent Noble on July 13, 2023, the Government has no intention of using the challenged statements during its case-in-chief. Accordingly, the Government has no objection to this Court granting the relief requested by Youngblood.

However, the Government reserves the right to use the challenged statements to impeach Youngblood if he testifies at trial, or for any other lawful purpose. *See, e.g., Vega v. Tekoh*, 597

U.S. 134, 144 (2022) (statement obtained in violation of *Miranda* can be used to impeach the testimony of a defendant) (citing *Harris v. New York*, 401 U.S. 222, 224–226 (1971)).

Respectfully submitted,

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ORDER

The Court has reviewed the Defendant's Motion to Suppress [ECF No. 72] and the Government's response, in which the Government does not oppose the relief requested. Accordingly,

IT IS ORDERED that Defendant's Motion to Suppress [ECF No. 72] is GRANTED.

ROBERT L. PITMAN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Government's filing have been delivered on March 19, 2024 via the CM/ECF system to:

Charly Herring
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Attorneys for Defendant Saint Jovite Youngblood

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